REMARKS/ARGUMENTS

This Response is submitted in reply to the Office Action dated January 27, 2006, and within the three month period for reply extending to April 27, 2006. Claims 1-16 remain pending.

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Rejections under 35 U.S.C. 102

Claims 1-16 were rejected under 35 U.S.C. 102(e) as being anticipated by Peart et al. ("Peart" hereafter) (U.S. Patent Publication No. US 2003/0069924 A1). These rejections are traversed.

10   With regard to claim 1, the Office asserts that Peart (page 11, paragraphs [0111-0114]) teaches the operation of signing an unsigned binary on a first computing device to obtain a first signature. The Applicants have reviewed the cited portions of Peart in detail and find no teaching of signing an unsigned binary to obtain a first signature. Other than simply citing paragraph numbers of Peart, the Office has not provided information that

15   would enable the Applicants to determine how the cited portions of Peart are being interpreted by the Office as teaching the operation of signing an unsigned binary on a first computing device to obtain a first signature. The Applicants point out that the cited portions of Peart do not include any mention of a binary signing operation or a signature obtained therefrom. Therefore, the Applicants submit that Peart does not in fact teach the

20   operation of signing an unsigned binary on a first computing device to obtain a first signature as asserted by the Office.

Further with regard to claim 1, the Office asserts that Peart (page 11, paragraphs [0111-0114]) teaches the operation of downloading said first signature and said unsigned binary to a second computing device. Peart (paragraph [0114]) teaches an operation for

25   pushing application information from a server to a client. Pushing the application

information from the server to the client may be viewed as downloading binary information. However, as discussed above, Peart (particularly page 11, paragraphs [0111-0114]) is silent with regard to the operation of signing an unsigned binary to obtain a first signature associated with the unsigned binary. Consequently, Peart is equally silent with

5   regard to downloading the first signature, wherein the first signature is associated with the unsigned binary that is downloaded.

Again, other than simply citing paragraph numbers of Peart, the Office has not provided information that would enable the Applicants to determine how the cited portions of Peart are being interpreted by the Office as teaching the operation of

10   downloading said first signature and said unsigned binary to a second computing device. Based at least on the foregoing, the Applicants submit that Peart does not in fact teach the operation of downloading said first signature and said unsigned binary to a second computing device.

Further with regard to claim 1, the Office asserts that Peart (page 14, paragraphs

15   [0145-0152], and page 16, paragraphs [0165-0175]) teaches the operation of using a token coupled to said second computing device to sign said unsigned binary to obtain a second signature. Once again, other than simply citing paragraph numbers of Peart, the Office has not provided information that would enable the Applicants to determine how the cited portions of Peart are being interpreted by the Office as teaching the operation of

20   using a token coupled to said second computing device to sign said unsigned binary to obtain a second signature. Therefore, in responding to the outstanding rejections it is necessary for the Applicants to make their best guess as to how the disclosure of Peart is being interpreted by the Office.

With regard to using a token to sign a binary to obtain a (second) signature, the

25   Applicants find no related . teaching within paragraphs [0145-0152] of Peart. The

Applicants do recognize a mention of a "security token" in paragraph [0170] of Peart.

Specifically, Peart [0170] discloses that the server node can transmit a request to the

client node, wherein the request includes control information such as a security token.

Peart [0170] further discloses that the security token, e.g., third program, could modify

5   the manner of delivery of the application, e.g., require the user to provide appropriate

authentication credentials, such as password, before delivery of the application. Although

Peart [0170] mentions the term "security token," objective consideration of Peart's

disclosure does not reveal a teaching of an operation for signing a downloaded unsigned

binary to obtain a second signature. Moreover, Peart clearly does not teach use of a token

10   to perform an operation for signing a downloaded unsigned binary to obtain a second

signature. The mere mention of a "security token" by Peart is simply not sufficient to

teach the recited features of claim 1, as asserted by the Office.

Furthermore, Peart (paragraphs [0145-0152] and [0165-0175]) does not mention

an operation for comparing first and second signatures, as recited in claim 1. In particular,

15   Peart does not mention comparing first and second signatures, wherein the first signature

is obtained on a first computing device by signing an unsigned binary, and the second

signature is obtained on a second computing device by signing the same unsigned binary

that has been downloaded from the first computing device to the second computing

device.

20   The Office is reminded that for a claim to be anticipated under 35 U.S.C. 102,

each and every feature of the claim must be taught by a single cited art reference. In

accordance with the foregoing, Peart does not teach each and every feature of claim 1, as

required to support a rejection under 35 U.S.C. 102. Therefore, the Applicants submit that

claim 1 is patentable over Peart. Additionally, due to their dependence on claim 1, each of

claims 2-8 includes all of the features recited in claim 1 and is patentable over Peart for at least the reasons provided for claim 1.

Claim 9 recites a computer readable medium having program code embodied therein that is configured to use a token to sign an unsigned binary. The computer readable code recited in claim 9 essentially causes the computer to perform the various operations as recited in claim 1. Therefore, the arguments present above with regard to claim 1 are equally applicable to corresponding operations caused by the computer readable code as recited in claim 9. Thus, the Applicants submit that claim 9 is patentable over Peart for at least the same reasons discussed above with respect to claim 1. Additionally, due to their dependence on claim 9, each of claims 10-16 includes all of the features recited in claim 9 and is patentable over Peart for at least the reasons provided for claim 9.

The Applicants submit that all of the pending claims are in condition for allowance. Therefore, a Notice of Allowance is requested. If the Examiner has any questions concerning the present Response, the Examiner is requested to contact the undersigned at (408) 774-6914. If any additional fees are due in connection with filing

5   this Response, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP575). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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